

Hello, I'm Kathleen Driscoll.

I was asked to testify on SB 345, the Montana Stream Legacy Act from the perspective of a realtor. I was born in Montana and raised in the Bitterroot Valley and have sold real estate there since 1991. It's interesting to me that significant numbers of my fellow Realtors are opposed to this bill. It's interesting because in reality its passage is critical to the long-term health of my profession. For agents who live in and love the area they do business in, this bill accomplishes several important things.

- 1) SB 345 keeps our water clean. Clients who want river and stream frontage want the water to be clean. They want to know that their upstream neighbor's septic tank is set back far enough so that their children won't be swallowing sewage when they play in the water. Actually, this is important to all my clients. Most everyone who buys in Montana likes to play in its rivers and streams. Knowing that they're protected from pollution is important to them.
- 2) SB 345 is simple and fair. Before people buy property they want to know what they can and can't do and they want to know what can happen next door. This bill has simple rules. It doesn't take a lawyer to figure them out. You should see the complicated mess that's being floated for the all the streams and rivers in Ravalli County. It'll take a team of lawyers to figure those rules out and you can be sure that a sack of cash will go a long ways toward getting whatever a rich landowner wants. I want to be able to look my clients in the eye and say, "Here's this gorgeous piece of property. We cherish our rivers so we've instituted a set back of 150 feet for streams and 250 feet for our Beautiful bitterroot river. We can easily pace that off and you can see where you can build." That's the beauty of a simple system. I don't want to be saying, "Well, we have these rules about streams but they're complicated and maybe, if you hire a lawyer, you can get a variance to build right on the bank."
- 3) SB 345 is about more than water pollution. And that "more" is important to people moving to my neck of the woods. Sure you maybe can get by with a fifteen foot setback -- that's actually what's being proposed for the Bitterroot -- and maybe it meets minimal water standards but it doesn't safeguard other values my clients are looking for. They're coming to the Bitterroot for hunting and fishing. It takes more than fifteen feet to protect fisheries. It takes more than fifteen feet to provide corridors for wildlife. People moving here want to know they can float down rivers and see birds and deer and maybe even a mink or an otter. They're not coming here to float down rivers lined with boring McMansions.

My home is the Bitterroot. I'm a Realtor and I love Montana and I want to protect my home. Those statements are not mutually exclusive. In fact, I've found that protecting the values that I love about Montana is just plain good business. SB 345 is a good clean bill. It's good for Montana. It's good for the real estate trade. And it's good for our Bitterroot economy